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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,745	02/09/2004	Eric Theodore Bax		1524
34847	7590	12/11/2007		
AVAYA INC. 307 MIDDLETOWN-LINCROFT ROAD ROOM 1N-391 LINCROFT, NJ 07738				
			EXAMINER PANNALA, SATHYANARAYA R	
			ART UNIT 2164	PAPER NUMBER
			MAIL DATE 12/11/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,745

Applicant(s)

BAX, ERIC THEODORE

Examiner

Sathyanarayan Pannala

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☐ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's Amendment filed on 9/21/2007 has been entered with amended claims 1-5, newly added claim 6. In this Office Action, claims 1-6 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beesley (US Patent 7,072,880) hereinafter Beesley, and in view of Perotto et al. (US Patent 5,630,130) hereinafter Perotto.

4. As per independent claim 1, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned. Beesley teaches the claimed, a method for performing multi-counter evaluation of a text, said method comprising computer-implemented (col. 4, lines 3-7). applying to the text a merged finite-state machine representing a plurality of single-counter finite-state machines each representing a different one of a plurality of counters and wherein at least one state of the merged finite-state machine each corresponds to a multiplicity of states each of a different one of said single-counter finite-state machines, augmented with state value lists where each state value list indicates which counter of the multi-counter receives which values value for the 6tato, and state of the merged finite-state machine (Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24 and lines 30-33) (it is obvious that a finite machine will counting substrings or words in a string is independent of other counters and not dependent on operation of other counters); accumulating the values of the states of the merged finite-state machine separately for each counter, thereby producing a list of counter score (Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24, lines 30-33). Beesley does not

explicitly teach using multi- counters. However, Perotto teaches multi-counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's teachings would have allowed Beesley's method to provide multitasking Controllers to store values of accumulator register and index register (col. 3, line 20 and lines 24-25); and Beesley teaches the claimed, updating each counter with its counter score (col. 14, lines 51-58).

5. As per independent claim 2, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned. Beesley teaches the claimed, a method for performing evaluation of a text, said method comprising computer-implemented (col. 4, lines 3-7). A method for performing multi-counter evaluation of a text, said method comprising computer-implemented (col. 4, lines 3-7), steps of:

applying to the text a merged finite-state machine representing a plurality of single-counter finite-state machines each representing a different one of a plurality of counters and wherein at least one state of the merged finite-state machine each corresponds to a multiplicity of states each of a different one of said single-counter finite-state machines, augmented with state value lists where each state value list indicates which patterns in which counters of the found when the state of the merged finite-state machine is entered (Fig. 13-14, col. 13,

lines 56-67 and col. 14, lines 16-24 and lines 30-33) (it is obvious that a finite machine will counting substrings or words in a string is independent of other counters and not dependent on operation of other counters); producing a list of patterns for each counter (Fig. 13-14, col. 13, lines 56-67); and Beesley teaches the claimed, updating each counter with its list of patterns (col. 4, lines 3-7). Perotto teaches multi-counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's teachings would have allowed Beesley's method to provide multitasking Controllers to store values of accumulator register and index register (col. 14, lines 51-58).

6. As per independent claim 3, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned (col. 4, lines 3-7). Beesley teaches the claimed, A method for constructing a finite-state machine augmented with state value lists, said method comprising the computer-implemented (col. 4, lines 3-7). steps of: providing by computer an empty augmented finite-state machine that has only a start state, with no transitions and no value list (col. 6, lines 43-47); accumulating each-by computer a finite-state machine of each counter of the multi-counter that corresponds to one or more pattern- amount pairs into the augmented finite-state machine to form a merged machine representing a

plurality of single-counter finite-state machines each representing a different one of a plurality of counters and wherein at least one state of the merged finite-state machine each corresponds to a multiplicity of states each of a different one of said single-counter finite-state machines, including converting state values of states of the finite-state machines of the counters of the multi-counter into state-value lists of states of the merged machine, and updating the merged machine with the state-value lists (Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24 and lines 30-33) (it is obvious that a finite machine will counting substrings or words in a string is independent of other counters and not dependent on operation of other counters). Perotto teaches multi-counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's teachings would have allowed Beesley's method to provide multitasking Controllers to store values of accumulator register and index register (col. 3, line 20 and lines 24-25).

7. As per independent claim 5, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned (col. 4, lines 3-7). Beesley teaches the claimed, A method for adding a pattern that consists of a single sequence of characters and a corresponding pattern value-value, from a counter to an augmented finite-state machine, said method

comprising the-computer-implemented (col. 14, lines 16-24 and lines 30-33),
steps of:

providing the pattern (Fig. 14, col. 14, line 18);

providing the corresponding pattern value (Fig. 14, col. 14, lines 51-52);

providing the augmented finite-state machine having a plurality of machine states
and representing a plurality of single-counter finite-state machines each

representing a different one of a plurality of counters and wherein at least one
state of the augmented finite-state machine each corresponds to a multiplicity of
states each of a different one of said single-counter finite-state machines

(Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24 and lines 30-33) (it is
obvious that a finite machine will counting substrings or words in a string is
independent of other counters and not dependent on operation of other
counters);

advancing through the machine states as-by applying the machine to the
sequence of characters as a text (Fig. 14, col. 14, lines 57-58);

if the machine would halt when applied to the sequence of characters as a text,
then adding states and transitions to the machine to prevent halting (col. 15,
lines 6-51);

forbearing from the adding if the machine would not halt when applied to the
sequence of characters as a text (col. 15, lines 6-51);

for a final state that would be reached by the machine supplemented with the
added states and transitions, forming a state value list if the final state lacks a
state value list, forbearing from forming a state value list if the final state has a

state value list, and adding to the state value list a reference to the counter and the pattern value (col. 15, lines 6-51). Beesley does not explicitly teach using plurality of single counters. However, Perotto teaches plurality of single counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's teachings would have allowed Beesley's method to provide multitasking Controllers to store values of accumulator register and index register (col. 3, line 20 and lines 24-25); and Beesley teaches the claimed, updating each counter with its counter score (col. 14, lines 51-58).

Allowable Subject Matter

8. Claim 6 is allowed because the applicant added the claim by combining claim 3 and objected dependent claim 4, and eliminating duplicate limitations. The prior art on record does not teach, suggest or disclose all limitations of claim 4.

9. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

10. Applicant's arguments filed 9/21/2007 have been fully considered but they are not persuasive and details as follows:

a) Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone

number is (571) 272-4115. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Sathyanarayan Pannala
Primary Examiner

srp
December 7, 2007